Louisiana Insurers' Conference

### ANNUAL LOUISIANA INSURANCE COMPLIANCE SEMINAR & LEGISLATIVE REVIEW

August 5-7, 2015 Renaissance Hotel | Baton Rouge, LA



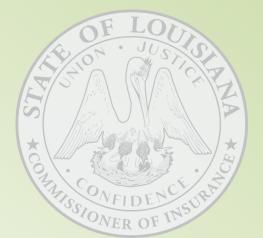
### HEALTH FORM FILINGS

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August 6, 2015







La. R.S. 22: 972 (A)

- No health insurance form may be issued, delivered, or used in Louisiana unless it has been filed with and approved by the Department
- Filings must be submitted at least 60 days prior to use





### LDI Regulation 78 – Policy Form Filing Requirements

- A complete filing is the filing of a single insurance product
  - Items required in complete product filings:
    - Filing Fee
    - Statement of Compliance
    - Policy Forms
    - Application/Enrollment Forms
    - Amendment, Rider or Endorsement Forms
    - Sample ID Cards
    - Initial Premium Rates and Classification of Risks





### Association, Trust for an Association or Multiple Associations

- La. R.S. 22: 1000 and Regulation 78, 10107.C.2.e
  - Each participating association:
    - Must be actively in existence for at least five (5) years
    - Must be formed and maintained for purposes other than obtaining insurance
    - Cannot condition membership on any health-status related factor
    - Cannot make an offer of health insurance other than in connection with a member of the association





### Association, Trust for an Association or Multiple Associations

- La. R.S. 22: 1000 and Regulation 78, 10107.C.2.e
  - Additional filing requirements:
    - Association's Constitution
    - Association's Articles of Incorporation
    - Association's By-laws
    - Association's Membership Application, Membership Agreement and Brochure of Membership Benefits





#### **Trusts**

- La. R.S. 22: 1000 and Regulation 78, 10107.C.2.f
  - Filings of health and accident products intended for issuance to a trust are limited to trusts established by an employer, an association, or to a multiple employer trust established by an insurer on behalf of participating employers.





#### **Trusts**

- La. R.S. 22: 1000 and Regulation 78, 10107.C.2.f
  - Additional filing requirements:
    - True Agreement
    - Articles of Incorporation (or other instrument creating the trust)
    - Member Adoption Agreement
    - Multiple Associations must also include association documents from previous slide





### **Exceptions to a Complete Filing**

- Regulation 78, 10107.D.
  - Exceptions to the requirements for a complete filing may be allowed at the discretion of the department for the following policy forms:
    - Application Forms or Enrollment Forms
      - Policy form filings and dates approved must be identified for each previously approved product with which the forms will be used
    - Identification Cards
    - Medicare Supplement Advertising





### **Exceptions to a Complete Filing**

- Filings of Amendatory Riders or Endorsements are permitted if:
  - Product to be altered was originally approved no more than three years prior to the amendatory rider or endorsement filing
    - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
    - Redline documents must consist of a complete form that clearly identifies all amended portions
    - Compliance Affidavit





### **Exceptions to a Complete Filing**

- Filings of Amendatory Riders or Endorsements are permitted if:
  - Filing is to bring a product into compliance with the law that has been granted approval and is currently in force, but no longer being marketed
    - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
    - Redline documents must consist of a complete form that clearly identifies all amended portions





#### Reminders

- Bulletin 2015-04
  - Plan Binder Filings are due to be completed with Associated Schedule Items by September 1, 2015
- Network Adequacy Filings, pursuant to La. R.S. 22:1019.2,
   are due January 1 of each year by submitting:
  - A copy of accreditation by NCQA, URAC or AAALH;
  - An Access Plan; or
  - A letter stating no network used
    - SERFF or LDI tracking number and dates approved must be identified for each previously approved product with which the forms will be used
    - Redline documents must consist of a complete form that clearly identifies all amended portions





#### Reminders

- Prior Authorization Form for prescription drug benefits, pursuant to La. R.S. 22: 1006.1, is due now if an issuer has not already filed and then only when replaced or modified
- Directive 205 Data Call template is due every March 1<sup>st</sup>
- HIPAA Assessment Worksheet is due every March 1<sup>st</sup>
- Medicare Supplement/Medicare Select quarterly and annual filings



# QUESTIONS ON FILING REQUIREMENTS?



